

**13-42-137 Statute of limitations.**

- (1) An action or proceeding brought pursuant to Subsection 13-42-133(1), (2), or (3) shall be commenced no later than four years after the conduct that is the basis of the administrator's complaint.
- (2) An action brought pursuant to Section 13-42-135 shall be commenced no later than two years after the latest of:
  - (a) the individual's last transmission of money to a provider;
  - (b) the individual's last transmission of money to a creditor at the direction of the provider;
  - (c) the provider's last disbursement to a creditor of the individual;
  - (d) the provider's last accounting to the individual pursuant to Subsection 13-42-127(1);
  - (e) the date on which the individual discovered or reasonably should have discovered the facts giving rise to the individual's claim; or
  - (f) termination of actions or proceedings by the administrator with respect to a violation of the chapter.
- (3) The period prescribed in Subsection (2)(e) is tolled during any period during which the provider or, if different, the defendant has materially and willfully misrepresented information required by this chapter to be disclosed to the individual, if the information so misrepresented is material to the establishment of the liability of the defendant under this chapter.

Amended by Chapter 152, 2012 General Session